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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,822	05/29/2001	Dagnachew Birru	US 010264	5104

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

WARE, CICELY Q

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/866,822

Applicant(s)

BIRRU, DAGNACHEW



Examiner

Cicely Ware

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 10-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-4 and 10-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 20 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/30/2006 have been fully considered but they are not persuasive. With respect to claims 1, 2, 10, 12 applicant has amended the claims by inserting "continuously and continuous". There is no support in the specification for "continuously and/or continuous". Therefore the amendment to the claims is considered new matter and the original rejection stands.

Claim Rejections - 35 USC § 112

2. Claims 1-4, 10-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. With respect to claims 1, 2, 10 and 12 applicant has amended the claims by inserting "continuously and continuous". Examiner is unable to find support in the specification for "continuous and/or continuously". Therefore the amendment to the claims is considered new matter.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 2, 3, 10, 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsujimoto (US Patent 5,345,476).

(1) With regard to claim 2, Tsujimoto discloses in (Fig. 2) a decision feedback equalizer, comprising: a forward equalizer(12); first and second adders (col. 2, lines 36-45); a decision device (15); a feedback equalizer (17) and an N-tap filter, wherein: the first and second adders (col. 2, lines 36-45), the decision device and feedback equalizer constitute a first feedback loop (abstract); the second adder, the decision device (15), and the N-tap filter constitute a second feedback loop (abstract); the second feedback loop is free of an implementation delay associated with the first feedback loop; and N is a positive integer (abstract, col. 6, lines 38-41, 67-68 – col. 7, line 1).

(2) With regard to claim 3, claim 3 inherits all the limitations of claim 2. Tsujimoto further discloses wherein the N-tap filter is implemented (abstract, col. 5, lines 30-54, col. 6, lines 1-4, 38-60, col. 7, lines 3-24).

(3) With regard to claim 10, Tsujimoto further discloses in (Fig. 2) a decision feedback equalizer, comprising: a forward equalizer (12); a decision device (15), filter means for generating a first feedback signal (17) responsive to first filter coefficients optimized to process postcursor echoes adjacent to a main channel and a second feedback signal (18) responsive to second filter coefficients optimized to process all other postcursor echoes; and means for applying the first (12, 14, 15, 17) and second (12, 13, 14, 15, 18, 19, 20) feedback signals to thereby control the DFE , wherein the

number of second filter coefficients is much greater than the number of first filter coefficients (abstract, col. 2, lines 28-36, col. 7, lines 3-24).

(4) With regard to claim 12, see rejection of claim 10.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lim (US Patent 5,748,674) (cited by applicant) in view of Tsujimoto (US Patent 5,345,476) as applied to claims 2 and 10.

(1) With regard to claim 1, Lim discloses in (Fig. 6) first (50) and second (60) feedback equalizer signals for controlling a decision feedback equalizer, wherein the first feedback equalizer signal is supplied as output from a first feedback loop (50, 70, 20, 30) and is delayed by an implementation delay (50b) and wherein the second feedback equalizer signal is supplied as output from a second feedback loop (60, 70, 20, 30) and is free of the implementation delay, wherein said first and second feedback loops process decisions from a decision device (30) common to both of said first and second loops (abstract, col. 5, lines 30-36, 51, 58).

However Lim does not disclose wherein the output of the decision feedback equalizer is common with an input of the decision device.

However Tsujimoto discloses in (Fig. 2) wherein the output of the decision feedback equalizer is common with an input of the decision device (15) (Fig. 1 (7)).

Therefore it would have been obvious to one of ordinary skill in the art to modify Lim in view of Tsujimoto to incorporate wherein the output of the decision feedback equalizer is common with an input of the decision device in order to cancel multipath fading interference without causing cancellation of the desired signals and eliminate the noise enhancement problem without a training sequence (Tsujimoto, col. 2, lines 5-7).

(2) With regard to claim 4, claim 4 inherits all the limitations of claim 2. Lim further discloses a digital television receiver including the DFE (col. 2, lines 22-29).

(3) With regard to claim 11, claim 11 inherits all the limitations of claim 10. See rejection of claim 4.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cicely Ware whose telephone number is 571-272-3047.

The examiner can normally be reached on Monday – Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Cicely Ware

cqw
March 28, 2006



KHAI TRAN
PRIMARY EXAMINER